

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA

- v. -

NIDAL AYYAD,  
Defendant.

-----X

93 Cr. 180 (LAK)

**MEMO ENDORSED**

NOTICE OF MOTION

PLEASE TAKE NOTICE, that upon the annexed declaration of PETER J. TOMAO, ESQ., all the papers and proceedings heretofore had herein, the undersigned attorney respectfully moves this Court pursuant to Rules 35 and 36 of the Federal Rules of Criminal Procedure to enter an order correcting the amended judgment herein to conform with the ruling of the United States Court of Appeals for the Second Circuit in *United States v. Salameh*, 261 F.3d 271, 277 (2d Cir. 2001).

Dated: Garden City, New York  
June 28, 2021

Respectfully submitted,

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PETER J. TOMAO, ESQ.  
Attorney for Defendant Nidal Ayyad  
600 Old Country Road, Suite 328  
Garden City, NY 11530  
(516) 877-7015

TO:

Clerk of Court (via ECF)  
Hon. Lewis A. Kaplan (2 Courtesy Copies)  
AUSA Ryan Finkel (via ECF)

SO ORDERED

*Granted,*  
*Lewis A. Kaplan*  
*8/6/21*  
\_\_\_\_\_  
LEWIS A. KAPLAN, USDJ